

**SOAH DOCKET NO. 582-10-0293
TCEQ DOCKET NO. 2008-1616-WR**

APPLICATION NO 14-1318B	§	BEFORE THE STATE OFFICE
BY SAN ANGELO WATER	§	
SUPPLY	§	
CORPORATION FOR	§	OF
AMENDMENT	§	
TO CERTIFICATE OF	§	
ADJUDICATION NO. 14-1318	§	ADMINISTRATIVE HEARINGS

EXECUTIVE DIRECTOR'S EXCEPTION TO TWO FINDINGS OF FACT

The Executive Director of the Texas Commission on Environmental Quality agrees with the Proposal for Decision and Proposed Order in this case, but requests amendment of two Findings of Fact to reflect the review of the Drought Contingency Plan.

Findings of Fact Nos. 62 and 63 are as follows:

62. A Water Conservation Plan review is not required for this application.

63. Nevertheless, the Water Conservation Plan meets the requirements of the Texas Water Code and TCEQ rules.

30 Tex. Admin. Code § 295.9 only requires a review of the Water Conservation Plan and Drought Contingency Plan when a new appropriation is requested. However, as the Administrative Law Judge notes, the Executive Director did review both the Water Conservation and Drought Contingency Plan, and found that they met the rules.

Therefore, the Executive Director respectfully requests the addition of "and Drought Contingency Plan" to the two findings as follows:

62. A Water Conservation Plan and Drought Contingency Plan review are not required for this application.

63. Nevertheless, the Water Conservation Plan and Drought Contingency Plan meet the requirements of the Water Code and TCEQ rules.

Respectfully submitted,

Texas Commission on Environmental Quality

Mark R. Vickery, P.G.
Executive Director

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By 
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REPRESENTING THE EXECUTIVE
DIRECTOR OF THE TEXAS COMMISSION
ON ENVIRONMENTAL QUALITY

CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2010, "The Executive Director's Exceptions to Two Findings of Fact" was faxed and mailed with the Administrative Law Judge and filed with the Office of the Chief Clerk of the Texas Commission on Environmental Quality and sent via electronic mail and mailed to the parties listed below.


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